

Appl. No.: 10/807,657
Amdt. dated 10/17/2005
Reply to Office action of July 15, 2005

REMARKS

This Amendment is filed in response to the Office Action dated July 15, 2005. Applicants first note with appreciation the Examiner's thorough examination of the application as evidenced by the Office Action. In response to the Office Action, Applicants have amended Claims 1, 3-5, 7, 10, 11, 13, 15-17, 19, 23-27, 31, 33, 35, 39, 41, and 42.¹ Applicants respectfully request reconsideration and allowance of the application in light of the following remarks.

I. The Claims Are in Proper Form

On page 2, the Office Action objects to Claims 10-43 under 35 U.S.C. § 112, second paragraph, as indefinite. The Office Action notes that the claims recite that the carrier unit rotates, but that this is not disclosed in the specification. In light of this objection, Applicants have amended several of the claims of the application to address this issue. Applicants respectfully submit that the claims are in proper form.

II. Claims 42 and 43 Are Allowed

Applicants note with appreciation the indication that Claims 42 and 43 are allowed. Applicants have amended Claim 42 to address §112 issues raised by the Examiner. Applicants respectfully submit that these claims, as amended, are still allowable.

III. Independent Claims 1 and 7 Are Patentable

Claims 1-9 are listed on the cover the Amendment as objected. However, the claims are nowhere discussed in the Office Action. Applicants have amended independent Claims 1 and 7 to address the §112 issue raised in the Office Action. Applicants submit that independent Claims 1 and 7 are patentable.

¹ Applicants note that the amendments to the claims were made for clarification purposes. The amendments were not made in light of the prior art.

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IV. Independent Claims 10 and 26 Are Patentable

On page 2, the Office Action rejects Claims 10-15, 26-31, 39, and 41 as anticipated by U.S. Patent No. 5,966,160 to Nardone. Applicants, however, note at least one difference between the claimed invention of independent Claims 10 and 26 and the '160 Nardone patent. In particular, the '160 Nardone device uses a drive motor that engages the cam 328 to actively drive and flip the media carrier. The claimed invention of Claims 10 and 26, on the other hand, uses the passive interaction of the rotatable flip guide and the stop member to cause rotation. As the carrier unit moves upward along the guide, the stop member interacts passively with the rotatable flip guide. This passive aspect of the claimed invention is advantageous as it reduces cost and weight. Passive interaction to flip the media is nowhere taught or suggested by the '160 Nardone patent. As such, Applicants respectfully submit that independent Claims 10 and 16, as well as the claims that depend therefrom, are patentable over the cited references.

V. Independent Claim 41 Is Patentable

Independent Claim 41 is somewhat different from that of Claim 10. Specifically, Claim 41 further recites a cam associated with the rotatable flip guide and that "when said carrier unit slides along said guide rail, said cam arm contacts said flip stop member causing said cam arm to rotate thereby reorienting the media located in said carrier unit." These recitations are nowhere taught or suggested by the '160 Nardone patent.

With reference to Figure 20, the '160 Nardone patent discloses a cam 328 that meshes with a drive motor to flip the media. See '160 Nardone patent, col. 11, lines 10-35. The '160 Nardone patent states that the "cam 328 is keyed to the shaft 340 for rotation responsive to rotation of the motor 326." The cam 328 does not contact a stop member to thereby cause rotation of the flip guide. Instead, the '160 Nardone patent discloses an active motor that meshes with the cam to rotate the media. In light of this, Applicant respectfully submits that independent Claim 41 is patentable over the cited references.

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CONCLUSION

In light of the amended and the remarks above, Applicant respectfully submits that the application is in condition for allowance and respectfully requests that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' counsel to discuss any outstanding issues so as to expedite the application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

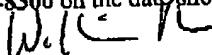


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.



W. Kevin Ransom

10/17/05

Date